2189

Attorney's Docket No.: E00295.70126.US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Scaringella et al.
Serial No.:	09/364,727
Confirmation No.:	9805
Filed:	July 30, 1999
For:	COMPUTER STORAGE SYSTEM INCORPORATING ON-BOARD EEPROMS CONTAINING PRODUCT DATA
Examiner:	Vo, Tim T.
Art Unit:	2189

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 16, 2003.

William R. McClellan

William R. McClellan, Reg. No. 29,409

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

[✓] Response to Office Action mailed April 16, 2003
[✓] Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

No fee is believed to be due. The Commissioner is hereby authorized to charge any deficit to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,
Scaringella et al., Applicant

By: William R. McClellan

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Docket No. E00295.70126.US
Date: July 16, 2003
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M.H.

Attorney's Docket No.: E00295.70126.US 7-22-03

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REQUEST FOR RECONSIDERATION

Sir:

This responds to the final Office Action mailed April 16, 2003 in the above-identified application. For the following reasons, reconsideration and allowance of the application are respectfully requested.

Claims 1-14 are pending in the application. No claims have been amended.

The Examiner has finally rejected claims 1-4, 6 and 12-14 under 35 U.S.C. §103(a) as unpatentable over Dorfman (6,118,862) in view of Don (6,266,740). Claim 5 is rejected under 35 U.S.C. §103(a) as unpatentable over Dorfman in view of Don as applied to claim 1, and further in view of Wilhelm (5,761,033). Claims 7-9 and 11 are rejected under 35 U.S.C. §103(a) as unpatentable over Dorfman in view of Don as applied to claim 1. Claim 10 is rejected under 35 U.S.C. §103(a) as unpatentable over Dorfman in view of Don as applied to claim 7, and further in view of Wilhelm. The rejections are respectfully traversed.

The Dorfman and Don patents are discussed in the previous response. As described previously, Dorfman in Fig. 2 discloses a computer telephony server 10 including a processor board 50 and a backplane 60. The processor board 50 includes a processor 52, a memory 54 and

a disk controller 56 which is coupled to a hard drive 58. The backplane 60 includes a plurality of slots 62a-62f which are connected to a bus 64 (col. 4, lines 13-31).

The Don patent discloses a method for verifying the organization of a magnetic disk storage system in which individual storage logical volumes are grouped in sequence as components of a meta device (Abstract). Each storage component or meta member of a meta device has a unique signature. A dedicated storage area in each disk drive has a predetermined value in a signature field. The unique signature comprises certain configuration data for the storage logical volume. A separate configuration file stores configuration data for each component. During an integrity analysis, the signature in the dedicated storage area and the configuration data are analyzed to confirm that the storage logical volume possesses the desired characteristics (col. 2, lines 1-39).

Applicant's claim 1 is directed to apparatus comprising a plurality of circuit boards, each having electronic circuitry including a non-volatile memory containing product data that identifies the respective circuit board and means for reading the product data in the non-volatile memory, and a backplane for mounting and interconnecting the circuit boards.

The Examiner states that Dorfman discloses a plurality of circuit boards and a backplane for mounting and interconnecting the circuit boards, but acknowledges that Dorfman does not teach circuit boards including a non-volatile memory containing product data that identifies the respective circuit board and means for reading the product data in the non-volatile memory, as required by claim 1. The Examiner relies upon Don for teaching a memory for storing ID data such as cabinet serial number, device number, etc. A statement in Dorfman that "other hardware configurations could be utilized" is relied upon by the Examiner as providing a basis for the combination of Dorfman and Don (see col. 4, lines 55-65 of Dorfman et al.).

As set forth in the previous response, Applicant respectfully traverses the rejection based on the combination of Dorfman and Don It is true that backplanes containing printed circuit boards are known in the art as disclosed by Dorfman. It is also true that Dorfman indicates "that other hardware configurations could be utilized." However, it is not even remotely true that Don provides another hardware configuration. The Don patent teaches a method and apparatus for verifying organization of a magnetic disk storage system and contains no discussion of hardware configurations. By contrast, the discussion at col. 4, lines 55-65 of Dorfman relates to different types of backplanes. The Don patent does not provide an alternate backplane configuration or an

alternate hardware configuration of any type. It is not seen how a method and apparatus for verifying organization of a magnetic disk drive system can provide an alternate hardware configuration for a computer telephony server. For this reason, a person of skill in the art reviewing Dorfman would not consult Don for an alternate hardware configuration. Accordingly, the combination of Dorfman and Don is improper and should be withdrawn.

It is respectfully submitted that one of skill in the art reviewing Dorfman and Don would not think of using on each of the circuit boards of Dorfman a non-volatile memory containing product data that identifies the respective circuit board. It is respectfully submitted that the Examiner's assertion to this effect is based on hindsight reconstruction rather than the teachings of the references themselves. Assuming for the sake of argument that Dorfman and Don are properly combinable, the references, taken individually or in combination, do not teach a plurality of circuit boards each having electronic circuitry including a non-volatile memory containing product data that identifies the respective circuit board, as claimed. Dorfman contains no disclosure or suggestion whatever of utilizing a non-volatile memory containing product data on printed circuit boards. Don discloses the concept of a unique signature but in connection with a disk drive rather than a memory on a printed circuit board. Accordingly, claim 1 is clearly and patentably distinguished over Dorfman in view of Don.

Claims 2-6 depend from claim 1 and are patentable over Dorfman in view of Don for at least the reasons discussed above in connection with claim 1.

Claim 7 is directed to a computer storage system wherein a plurality of controller boards each has circuitry including a non-volatile memory containing product data that identifies the respective controller board. Claim 7 is clearly patentable over Dorfman in view of Don for the reasons discussed above in connection with claim1 .

Claims 8-11 depend from claim 7 and are patentable over Dorfman in view of Don for at least the reasons discussed above in connection with claims 1 and 7.

Claim 12 is directed to a method for identifying a circuit board and is patentable over Dorfman in view of Don for at least the reasons discussed above in connection with claims 1 and 7.

Claims 13 and 14 depend from claim 12 and are patentable over Dorfman in view of Don for at least the reasons discussed above in connection with claims 1, 7 and 12.

CONCLUSION

Based upon the above discussion, careful reconsideration and allowance of the application are respectfully requested. In the event that the Examiner does not find the above arguments persuasive, Applicant hereby requests a telephone interview to further discuss these issues.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,
Scaringella et al., Applicant

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